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JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

In Re:

ESTHER ELKOUBY,

Debtor,

ESTHER ELKOUBY,

Appellant,

v.

US BANK N.A.,

Appellees.

Case No. CV 12-10154-JGB

**ORDER & JUDGMENT DISMISSING  
APPEAL WITHOUT PREJUDICE**


On November 28, 2012, the Court received a notice of appeal from the bankruptcy court in the matter of In re: Esther Elkouby. (Doc. No. 2.) Appellant Esther Elkouby appealed an order denying Elkouby's motion to continue the automatic stay issued by the United States Bankruptcy Court of the Central District of California in a Chapter 13 Bankruptcy case. (Id.)

1 On August 23, 2013, the Clerk of the Bankruptcy Court  
2 issued a Certificate of Readiness and Completion of  
3 Record. (Doc. No. 7.) The same day, this Court issued a  
4 briefing schedule and set a deadline of September 6, 2013  
5 for Appellant to file her opening brief. (Doc. No. 8.)  
6 To date, Appellant has not filed an opening brief, or any  
7 other documents, with the Court.

8 On December 18, 2013, the Court issued an order to  
9 show cause by December 30, 2013 why the bankruptcy appeal  
10 should not be dismissed for failure to file an opening  
11 brief. (Doc. No. 9.) The Court put Appellant on notice  
12 that "[f]ailure to respond shall result in dismissal of  
13 this appeal." (Id.) (citing Bankr. R. 8001(a); *In re*  
14 *Hunter*, 402 F. App'x 228, 229 (9th Cir. 2010)). As of  
15 the date of this order, Appellant has not responded to  
16 the order to show cause, nor has she filed the required  
17 documents.

18 Accordingly, the Court DISMISSES Appellant's appeal  
19 of a decision by the Bankruptcy Court WITHOUT PREJUDICE.

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21 Dated: January 3, 2014

  
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JESUS G. BERNAL  
United States District Judge